

LINDA LINGLE
Governor
State of Hawaii

ALBERT TUFONO
Chairperson
Hawaii Paroling Authority

DANE ODA
Board Member

ROY W. REEBER
Board Member

MAX OTANI
Paroles & Pardons Administrator

RICHARD YEN
Field Branch Administrator

2009 ANNUAL STATISTICAL REPORT

FISCAL YEAR 2009

JULY 1, 2008 TO JUNE 30, 2009

HAWAII PAROLING AUTHORITY

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
HAWAII PAROLING AUTHORITY
1177 Alakea Street, Ground Floor
Honolulu, Hawaii 96813

ALBERT TUFONO
CHAIR

DANE K. ODA
MEMBER

ROY W. REEBER
MEMBER

MAX OTANI
ADMINISTRATOR

No. _____

March 19, 2010

The Honorable Linda Lingle
Governor of the State of Hawaii
State Capitol Building
Honolulu, Hawaii 96813

RE: Annual Report of the Hawaii Paroling Authority for fiscal year 2009

Dear Governor Lingle:

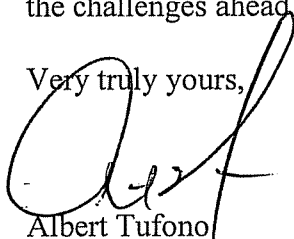
It is with great pleasure that I submit to you the annual report of the Hawaii Paroling Authority (HPA) for FY 2009 (1 July 2008 – 30 June 2009). The data contained herein is self-explanatory and clearly indicates that HPA continues to work hard serving the public through sound decisions that are fair, firm, and consistent and in the best interest of public safety.

The HPA is continuing to meet its mandate. The parole board is making good decisions based on the information they are provided by the Department of Public Safety's case management staff. Inmates are participating more frequently in transition programs that are assisting them with a step down approach into the community thus making them better candidates for success on parole.

As parolees enter the communities, the HPA staff is providing the appropriate level of service and assistance. The supervision staff is trained using the "best practices" approach to supervision and they allow parolees to seek services in the community rather than returning them to prison while ensuring that risk to the community is not compromised. Part of this success can be attributed to the community-based programs that provide treatment and services for parolees while they are in the community.

Finally, I would like to take this opportunity to sincerely thank the staff of the HPA for their continued hard work, dedication, commitment, and selfless service. It is truly a pleasure to work with such a fine group of civil servants. As always, we take great pride in our accomplishments and trust that they are recognized and appreciated by the public we serve. We look forward to the challenges ahead and will continue to strive to move this agency forward.

Very truly yours,



Albert Tufono
Chairman

FISCAL YEAR 2006-2007 THROUGH FISCAL YEAR 2008-2009

<u>AUTHORITY ACTIONS/DECISION</u>	<u>FISCAL YEAR</u>		
	<u>06-07</u>	<u>07-08</u>	<u>08-09</u>
1. Minimum Terms Fixed	3159	2746	2692
a. Number of Persons for Whom Minimum Terms Fixed	840	787	740
2. Application for Reduction of Minimum Sentences	148	127	119
a. Granted	12	2	3
b. Denied	136	125	116
3. Number of Parole Consideration Hearing	2023	1987	2204
Number of Persons Considered for Parole	1669	1626	1749
a. Number of Paroles Granted	837	647	736
b. Number of Paroles Denied	1056	1235	1367
c. Number of Paroles Deferred/Continued	128	104	100
d. Number of Escape	2	1	1
4. Number of Actual Parolees Release	785	652	694
5. Parole Violation Hearings	304	305	297
a. Parole Revoked	264	284	259
b. Continued on Parole/Deferred	39	16	33
c. Deferred	1	5	5
6. Paroles Suspended Because Person's Whereabouts Unknown	122	151	75
7. Discharge from Parole	350	389	435
a. Ordered to Serve Full Parole Term Before Discharge	249	273	287
b. Early Discharge Approved	84	103	126
c. Deceased	17	13	22
8. Inmate Interview/Reviews	22	15	15
9. Pardon Investigation Considered	38	45	58

TABLE 1**OFFENSES & NUMBER OF MINIMUM SENTENCES ESTABLISHED, AVERAGE LENGTH OF
MINIMUM SENTENCES AND RANGE OF MINIMUMS ESTABLISHED****July 1, 2008 to June 30, 2009****NUMBER OF MINIMUM TERMS FIXED
NUMBER OF PERSONS FOR WHOM MINIMUM TERMS FIXED**

<u>OFFENSES AGAINST PROPERTY</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Accomplice to Burglary First Degree	1	1	2.50 yrs.	2.50 yrs.
Attempted Burglary First Degree	2	2	4.50 yrs.	4 yrs. - 5 yrs.
Attempted Burglary Second Degree	2	2	3.00 yrs.	3.00 yrs.
Attempted Criminal Property Damage First Degree	1	1	4.50 yrs.	4.50 yrs.
Attempted Theft First Degree	1	1	3.00 yrs.	3.00 yrs.
Attempted Theft Second Degree	18	19	3.03 yrs.	0.32 yrs. - 5 yrs.
Attempted Unauthorized Entry into Motor Vehicle	3	4	4.00 yrs.	3 yrs. - 5 yrs.
Attempted Unauthorized Control Of Propelled Vehicle	7	7	3.05 yrs.	0.32 yrs. - 5 yrs.
Burglary First Degree	67	109	5.47 yrs.	0.83 yrs. - 10 yrs.
Burglary Second Degree	37	48	3.23 yrs.	0.77 yrs. - 5 yrs.
Credit Card Fraud	5	9	3.25 yrs.	0.59 yrs. - 5 yrs.
Credit Card Theft	8	13	4.24 yrs.	2.14 yrs. - 5 yrs.
Criminal Conspiracy to Commit Theft Second Degree	1	1	4.00 yrs.	4.00 yrs.
Criminal Property Damage First Degree	19	20	3.74 yrs.	1.92 yrs. - 6 yrs.
Criminal Property Damage Second Degree	8	10	3.21 yrs.	0.59 yrs. - 4.50 yrs
Forgery First Degree	1	1	3.00 yrs.	3.00 yrs.
Forgery Second Degree	54	152	3.71 yrs.	0.32 yrs. - 5 yrs
Fraudulent/Other Prohibited Practices	1	1	2.50 yrs.	2.50 yrs.
Fraudulent Use of Credit Card	13	21	3.79 yrs.	0.66 yrs. - 5 yrs.
Identity Theft Second Degree	13	21	5.59 yrs.	3.33 yrs. - 10 yrs.
Identity Theft Third Degree	12	36	3.07 yrs.	0.32 yrs. - 5 yrs.
Illegal Ownership of a Business	1	4	3.33 yrs.	3.33 yrs.
Insurance Fraud	3	3	2.06 yrs.	1 yrs. - 3.5 yrs.
Money Laundering/Crimal Penalty	1	2	3.33 yrs.	3.33 yrs.
Shoplifting	1	1	2.86 yrs.	2.86 yrs.
Social Services Frauds	1	1	1.17 yrs.	1.17 yrs.
Telecommunication Service Fraud in the First Deg	1	1	1.67 yrs.	1.67 yrs.
Theft First Degree	13	18	4.73 yrs.	1.67 yrs. - 10 yrs.
Theft Second Degree	133	199	3.41 yrs.	0.64 yrs. - 5 yrs.
Theft Third Degree	1	1	2.50 yrs.	2.50 yrs.
Theft, Forgery Etc. of Credit Cards	16	35	3.97 yrs.	0.32 yrs. - 5 yrs.
Theft of Copper	1	2	3.50 yrs.	3.50 yrs.
Theft of Utility Services	1	1	2.00 yrs.	2.00 yrs.
Unauthorized Computer Access in the First degree	1	1	1.50 yrs.	1.50 yrs.
Unauthorized Computer Access in the Second degree	2	3	3.75 yrs.	1.25 yrs. - 5 yrs.
Unauthorized Control of Propelled Vehicle	155	257	3.75 yrs.	0.26 yrs. - 10 yrs.
Unauthorized Entry into a Dwelling	4	7	4.57 yrs.	3 yrs. - 5 yrs.
Unauthorized Entry into Motor Vehicle	76	129	3.73 yrs.	0.48 yrs. - 5 yrs.
Unauthorized Possession of Confidential Personal Information	32	75	3.87 yrs.	0.21 yrs. - 8 yrs.
SUBTOTAL:	<u>717</u>	<u>1,219</u>		

TABLE I (continued)

<u>OFFENSES AGAINST PERSONS</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Accidents Involving Death/Pers. Injury	4	4	4.86 yrs.	0.43 yrs. - 8 yrs.
Accidents Involving Substantial Bodily	2	2	4.00 yrs.	4.00 yrs.
Accomplice to Robbery First Degree	1	1	4.00 yrs.	4.00 yrs.
Assault Against a Law Enforcement Officer Second Degree	11	13	3.39 yrs.	0.59 yrs. - 5 yrs.
Assault First Degree	9	9	4.66 yrs.	0.49 yrs. - 10 yrs.
Assault Second Degree	48	64	3.36 yrs.	0.14 yrs. - 5 yrs.
Attempted Assault First Degree	5	7	5.29 yrs.	3 yrs. - 7 yrs.
Attempted Extortion Second Degree	1	1	3.00 yrs.	3.00 yrs.
Attempted Manslaughter	3	3	12.67 yrs.	8 yrs. - 15 yrs.
Attempted Murder Second Degree	2	2	28.25 yrs.	1.50 yrs. - 55 yrs.
Extortion First Degree	1	1	5.00 yrs.	5.00 yrs.
Extortion Second Degree	1	1	5.00 yrs.	5.00 yrs.
(Felony) Abuse of a Family and/or Household Member	8	12	3.58 yrs.	2 yrs. - 5 yrs.
Kidnapping	9	13	10.83 yrs.	3 yrs. - 20 yrs.
Manslaughter	5	5	30.40 yrs.	8 yrs. - 100 yrs.
Murder Second Degree	8	10	68.30 yrs.	18 yrs. - 170 yrs.
Negligent Homicide First Degree	7	8	7.13 yrs.	4 yrs. - 40 yrs.
Negligent Injury First Degree	7	8	3.81 yrs.	1.50 yrs. - 5 yrs.
Reckless Endangering First Degree	5	5	4.00 yrs.	2 yrs. - 5 yrs.
Robbery First Degree	11	18	13.31 yrs.	2 yrs. - 20 yrs.
Robbery Second Degree	39	51	4.93 yrs.	1 yr. - 10 yrs.
Terroristic Threatening First Degree	41	59	2.95 yrs.	0.30 yrs. - 5 yrs.
Unlawful Imprisonment First Degree	4	4	4.88 yrs.	4.50 yrs. - 5 yrs.
SUBTOTAL:	<u>232</u>	<u>301</u>		
<u>SEX OFFENSES</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Attempted Sexual Assault First Degree	1	1	20.00 yrs.	20.00 yrs.
Attempted Sexual Assault Second Degree	1	1	9.00 yrs.	9.00 yrs.
Attempted Sexual Assault Third Degree	1	2	2.50 yrs.	2.50 yrs.
Enticement of a Children First Degree	5	6	2.00 yrs.	1 yr. - 4 yrs.
Sexual Assault First Degree	11	45	11.51 yrs.	1 yr. - 20 yrs.
Sexual Assault Second Degree	23	67	7.90 yrs.	3 yrs. - 10 yrs.
Sexual Assault Third Degree	32	185	4.41 yrs.	0.35 yrs. - 5 yrs.
SUBTOTAL:	<u>74</u>	<u>307</u>		
<u>FIREARM OFFENSES</u>	<u>No. of Minimum Sentences Fixed</u>		<u>Average Length of Minimum Sentence</u>	<u>Range of Minimum Sentence</u>
	<u>Person</u>	<u>Offenses</u>		
Carrying/Possessing Loaded Firearm on Pub.Hwy.	1	1	2.50 yrs.	2.50 yrs.
Carrying or Use of a Firearm in Comm. of a Seperate Felony	5	8	16.13 yrs.	4 yrs. - 20 yrs.
Loaded Firearms	2	2	5.25 yrs.	4.50 yrs. - 6 yrs.
Ownership or Possession Prohibited	11	13	3.77 yrs.	1 yr. - 6 yrs.
Place to Keep Firearm/Ammunition	17	17	5.29 yrs.	2 yrs. - 10 yrs.
Possession of Ammunition by Person Convicted of Certain Crime	4	5	6.40 yrs.	5 yrs. - 10 yrs.
Possession of Firearm/Ammunition by Person Convicted of Certain Crime	4	4	8.00 yrs.	5 yrs. - 10 yrs.
Possession of Prohibited Firearm or Device	4	5	5.00 yrs.	4 yrs. - 6 yrs.
Ownership/Possession Prohibited Firearm/Ammunition	6	8	4.64 yrs.	3 yrs. - 10 yrs.
SUBTOTAL:	<u>54</u>	<u>63</u>		

TABLE I (continued)

<u>DRUG OFFENSES</u>	No. of Minimum Sentences Fixed		Average Length of Minimum	Range of Minimum
	<u>Person</u>	<u>Offenses</u>	<u>Sentence</u>	<u>Sentence</u>
Attempted Promoting a Dangerous Drug Second Degree	1	1	1.50 yrs.	1.50 yrs.
Commercial Promotion of Marijuana First Degree	4	5	5.60 yrs.	2 yrs. - 15 yrs.
Commercial Promotion of Marijuana Second Degree	6	7	2.38 yrs.	0.29 yrs. - 3.50 yrs.
Driving under the Influence of Intoxicating Liquor	3	3	3.63 yrs.	2.39 yrs. - 5 yrs.
Fraudulent/Other Prohibited Practices	1	5	5.00 yrs.	5.00 yrs.
Habitually Operating a Vehicle under the Influence of Intoxicating Liquor/Drugs	11	16	3.94 yrs.	2 yrs. - 5 yrs.
Methamphetamine Trafficking First Degree	10	12	5.42 yrs.	2 yrs. - 9 yrs.
Methamphetamine Trafficking Second Degree	37	50	3.51 yrs.	1.50 yrs. - 8 yrs.
Promoting a Dangerous Drug Second Degree	31	39	4.31 yrs.	2 yrs. - 10 yrs.
Promoting a Dangerous Drug Third Degree	216	315	3.28 yrs.	0.75 yrs. - 8 yrs.
Promoting a Detrimental Drug First Degree	2	2	3.50 yrs.	3 yrs. - 4 yrs.
Promoting a Detrimental Drug Third Degree	1	3	0.50 yrs.	0.50 yrs.
Promoting a Harmful Drug Second Degree	1	1	2.50 yrs.	2.50 yrs.
Promoting a Harmful Drug Third Degree	1	2	3.00 yrs.	3.00 yrs.
Promotion of Marijuana First Degree	1	1	3.00 yrs.	3.00 yrs.
Prohibited Acts Related to Drug Paraphernalia	204	273	3.40 yrs.	0.16 yrs. - 8 yrs.
Promote Controlled Substance	1	1	4.00 yrs.	4.00 yrs.
Unlawful Methamphetamine Trafficking	7	15	3.53 yrs.	2 yrs. - 8 yrs.
SUBTOTAL:	<u>538</u>	<u>751</u>		

<u>OTHER OFFENSES</u>	No. of Minimum Sentences Fixed		Average Length of Minimum	Range of Minimum
	<u>Person</u>	<u>Offenses</u>	<u>Sentence</u>	<u>Sentence</u>
Arson Second Degree	1	1	1.04 yrs.	1.04 yrs.
Attempted Escape First Degree	1	1	5.00 yrs.	5.00 yrs.
Attempted Promoting Prison Contraband Second Degree	2	2	5.00 yrs.	5.00 yrs.
Bail Jumping First Degree	15	16	2.67 yrs.	0.59 yrs. - 4 yrs.
Escape First Degree	1	1	4.00 yrs.	4.00 yrs.
Escape Second Degree	17	17	3.08 yrs.	0.44 yrs. - 5 yrs.
Failure to Comply with Covered Offender Registration Requirements	1	1	5.00 yrs.	5.00 yrs.
Hindering Prosecution First Degree	1	1	2.00 yrs.	2.00 yrs.
Interference with Operation	2	2	2.57 yrs.	0.63 yrs. - 4.50 yrs.
Promoting Prison Contraband First Degree	1	1	2.50 yrs.	2.50 yrs.
Promoting Prison Contraband Second Degree	3	5	3.00 yrs.	2 yrs. - 5 yrs.
Unsworn Falsification to Authorities	1	3	5.00 yrs.	5.00 yrs.
SUBTOTAL:	<u>46</u>	<u>51</u>		

GRAND TOTAL FOR TABLE I**1,661 2,692**

TABLE II

COMPARISON OF AVERAGE LENGTH OF MINIMUM TERMS SET AND NUMBER OF MINIMUM TERMS ESTABLISHED FOR SELECTED OFFENSES*

Fiscal Year 2006-2007 through Fiscal Year 2008-2009

	<u>Fiscal Year 2006-2007</u>	<u>Fiscal Year 2007-2008</u>	<u>Fiscal Year 2008-2009</u>
<u>OFFENSES AGAINST PERSONS</u>			
Assault First Degree	5.77 yrs. (14)	5.66 yrs. (14)	4.66 yrs. (9)
Assault Second Degree	3.34 yrs. (42)	3.85 yrs. (43)	3.36 yrs. (64)
Kidnapping	7.45 yrs. (25)	7.77 yrs. (27)	10.83 yrs. (13)
Manslaughter	9.92 yrs. (6)	14.71 yrs. (7)	30.40 yrs. (5)
Murder Second Degree	55.80 yrs. (5)	46.60 yrs. (5)	68.30 yrs. (10)
Robbery First Degree	11.00 yrs. (16)	5.62 yrs. (7)	13.31 yrs. (18)
Robbery Second Degree	4.94 yrs. (60)	4.25 yrs. (48)	4.93 yrs. (51)
Terroristic Threatening First Degree	3.30 yrs. (51)	3.67 yrs. (77)	2.85 yrs. (59)
<u>OFFENSES AGAINST PROPERTY</u>			
Burglary First Degree	5.32 yrs. (124)	5.25 yrs. (79)	5.47 yrs. (109)
Burglary Second Degree	4.15 yrs. (57)	3.29 yrs. (31)	3.23 yrs. (48)
Forgery Second Degree	3.88 yrs. (240)	3.76 yrs. (190)	3.71 yrs. (152)
Theft First Degree	5.52 yrs. (31)	5.40 yrs. (35)	4.73 yrs. (18)
Theft Second Degree	3.49 yrs. (267)	3.63 yrs. (254)	3.41 yrs. (199)
Unauthorized Control of Propelled Vehicle	3.67 yrs. (259)	3.54 yrs. (217)	3.75 yrs. (257)
Unauthorized Entry into Motor Vehicle	3.70 yrs. (144)	3.68 yrs. (110)	3.73 yrs. (129)
<u>SEX OFFENSES</u>			
Sexual Assault First Degree	16.23 yrs. (44)	9.83 yrs. (18)	11.51 yrs. (45)
Sexual Assault Second Degree	5.96 yrs. (104)	7.12 yrs. (67)	7.90 yrs. (67)
Sexual Assault Third Degree	4.79 yrs. (116)	4.37 yrs. (75)	4.41 yrs. (185)
<u>DRUG OFFENSES</u>			
Methamphetamine Trafficking Second Degree	2.00 yrs. (2)	4.17 yrs. (42)	3.51 yrs. (50)
Promoting Dangerous Drug First Degree	6.58 yrs. (29)	7.35 yrs. (19)	n/a
Promoting Dangerous Drug Second Degree	3.99 yrs. (122)	4.23 yrs. (91)	4.31 yrs. (39)
Promoting Dangerous Drug Third Degree	3.38 yrs. (462)	3.42 yrs. (404)	3.28 yrs. (315)
Prohibited Acts Related to Drug Paraphernalia	3.42 yrs. (375)	3.44 yrs. (340)	3.40 yrs. (273)

**Number of Minimums established in parenthesis represents the number of minimums set by charges and not the number of individuals head.*

STATISTICAL TABLE III

TOTAL PAROLE ENDING CASELOAD

Fiscal Year 1999-2000 through Fiscal Year 2008-2009

<u>FY08-FY09</u>	<u>FY07-FY08</u>	<u>FY06-FY07</u>	<u>FY05-FY06</u>	<u>FY04-FY05</u>
1,869	1,950	2,661	2,568	2,340
<u>FY03-FY04</u>	<u>FY02-FY03</u>	<u>FY01-FY02</u>	<u>FY00-FY01</u>	<u>FY99-FY00</u>
2,380	2,622	2,591	2,595	2,658

STATISTICAL TABLE IV

GEOGRAPHICAL LOCATION OF HAWAII PAROLE CASES

As of June 30, 2009

TYPE OF CASES:	<u>Locations</u>	<u>No.of Persons</u>
ACTIVE CASES:		1,794
(Cases receiving on-going parole supervision and reporting regularly.)	C&C of Honolulu	1,312
	Hawaii County	214
	Maui County	175
	Kauai County	93
INTERSTATE COMPACT:		
(Hawaii cases being supervised by Mainland)		144
RECIPROCAL SUPERVISION:		48
(Mainland cases being supervised by Hawaii)		
IN INSTITUTION:		94
(Hawaii cases awaiting sentencing, or sentenced to a Federal Penitentiary or consecutive State term)		
OTHER SUPERVISION:		157
(Deported, Protective Custody or Dual Supervision)		
SUSPENDED CASES:		75
(Whereabouts unknown, warrants of arrest issued.)		
TOTAL CASES:		1,869

STATISTICAL TABLE V

PAROLE REVOCATIONS

July 1, 2008 through June 30, 2009

TOTAL NUMBER OF PAROLE REVOCATION HEARINGS	297
Total Number of Parole not Revoked	33
Total Number of Decisions Deferred	5
Total Number of Parole Revoked, Returned to Prison	259
Basis for Revocation:	
New Felony Conviction	4
Technical Violations of Parole	255

RECOMMITMENT RATE

July 1, 2008 through June 30, 2009

Based on total cases as of June 30, 2009

Total Revocation	259	13.86%
New Offenses Revocations (Felony Conviction)	4	0.21%
Technical Revocations	255	13.64%

STATISTICAL TABLE VI

DISCHARGED FROM PAROLE

July 1, 2008 through June 30, 2009

	<u>FY-08</u>	<u>FY-09</u>
TOTAL NUMBER OF PERSONS DISCHARGED FROM PAROLE	389	435
Early Discharged	103	126
Full Expiration of Maximum Sentence (Sentence imposed by Court)	273	287
Discharge Due to Death While on Parole	13	22

STATISTICAL TABLE VII

PARDONS, GRANTED BY THE GOVERNOR

July 1, 2008 through June 30, 2009

	<u>FY-08</u>	<u>FY-09</u>
Total Number of Pardon Investigations Conducted	45	58
Total Number of Persons Not Recommended for Pardon	31	38
Total Number of Persons Recommended for Pardon	14	20